



To the Honorable Council
City of Norfolk, Virginia

February 11, 2014

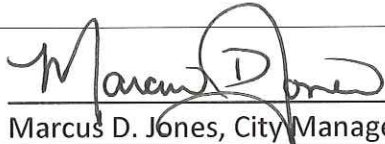
From: John M. Keifer, Director of Public Works

Subject: Encroach into Granby Street right-of-way at 9500 block of Granby Street with two 18" by 24" directional signs in the verge north and south of Granby Street.

Reviewed: Ronald H. Williams, Jr., Assistant City Manager

Ward/Superward: 5/6

Approved:


Marcus D. Jones, City Manager

Item Number:

R-10

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Father Dan Beeman
Holy Trinity Catholic Church
154 W. Government Avenue
Norfolk, Virginia 23503

III. **Description**
This agenda item is an encroachment permitting Holy Trinity Catholic Church to encroach into Granby Street right-of-way at 9500 block of Granby Street with two 18" by 24" directional signs in the verge north and south of Government Avenue.

IV. **Analysis**
An encroachment is an object or structure that infringes into the City of Norfolk's right-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments into the right-of-way to be approved by City Council. The encroachment in this location will allow directional signs on Granby Street identifying the location of Holy Trinity Catholic Church.

V. **Financial Impact**
Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$500,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. Review and approval by the Norfolk Design Review Committee and the City Planning Commission is not required.

IX. Coordination/Outreach


This letter has been coordinated with Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (3 sheets)

Form and Correctness Approved: 


Contents Approved:

By 
Office of the City Attorney

By Richard B. Bland for JK
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING HOLY TRINITY CATHOLIC CHURCH TO ENCROACH INTO GRANBY STREET RIGHT-OF-WAY AT THE 9500 BLOCK OF GRANBY STREET WITH TWO 18" BY 24" DIRECTIONAL SIGNS IN THE VERGE NORTH AND SOUTH OF GOVERNMENT AVENUE.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Holy Trinity Catholic Church (hereinafter known as "Owner") to encroach into Granby Street right-of-way at the 9500 block of Granby Street with two 18" by 24" directional signs in the verge north and south of Government Avenue, as shown on Exhibit A attached hereto, such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation Owner, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That Owner, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured in the minimum amounts of \$500,000.00 against liability from any and all claims, actions, and suits that may be asserted or brought against the City of Norfolk and/or Owner, and its successors and assigns, for any injury to or death of any person or persons or for any damage to or

destruction of property resulting from the installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Director of Risk Management of the City of Norfolk.

- (4) That the City of Norfolk shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way of Granby Street.

Section 2:- That the failure of Owner, or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by Owner, and its successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.

